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CERTIFICATE OF MAILING

I hereby certify that this INFORMATION DISCLOSURE STATEMENT is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on this 3rd day of February, 2005.

Typed or Printed name of person signing this certificate:

Wendy A. Frick

Signed:

Wendy A. Frick

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Montano, et al.

Examiner: Yu, Misook

Serial No.: 09/972,032

Art Unit: 1642

Filed: October 5, 2001

For: **MODULATORS OF ANTIESTROGEN
PHARMACOLOGY**

Attorney Docket No.: 27708/04003

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This information disclosure statement is being filed after the mailing of a first Office Action on the merits. Applicants wish to disclose the following information:

REFERENCES

- ☒ The Applicants wish to make of record the references listed on the attached Form PTO-1449. copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☒ Listed on the attached PTO form 1449 is information known to persons substantively involved in the preparation of the application identified above, and is not a representation that more pertinent information does not exist.
- ☒ The identification of any information herein is not intended to be, and should not be understood as being, an admission that such information, in fact, constitutes "prior art" within the meaning of applicable law. The "prior art" status of any information is a matter to be resolved during prosecution.

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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.Y./

CERTIFICATION

- ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this statement.
- ☐ This information disclosure statement is being filed within three months of the filing of the within application and/or prior to a first Office Action on the merits being allowed.

PETITION

- ☒ Applicants hereby request consideration of the attached information.

DEPOSIT ACCOUNT

- ☒ A check is attached in the amount of \$ 180.00 required under 37 § 1.17(p).
- ☐ It is not believed that any fee is required relating to the filing of this information disclosure statement. If this is not the case, the patent office is hereby authorized to charge any related fee to **Deposit Account No. 03-0172**.

Respectfully submitted,

Date:

Aug. 3, 2005

By:

Kristin J. Frost
Kristin J. Frost, Reg. No. 50,627
(216) 622-8895



Subst. Form PTO-1449	Atty. Docket No.: 27708/04003	Serial No.: 09/972,032
APPLICANT'S INFORMATION DISCLOSURE STATEMENT	Applicant: Montano, et al.	
	Filing Date: October 5, 2001	Group: 1642

U.S. PATENT DOCUMENTS

Initial*		Document No.	Date	Name	Class	Subcl.	Filing Date
	AA						
	AB						
	AC						
	AD						

FOREIGN PATENT DOCUMENTS

		Document No.	Date	Country	Class	Subcl.	Translation?
	AE						
	AF						
	AG						
	AH						
	AI						

OTHER PRIOR ART

	AJ	GenBank Accession Number AC019184, May 9, 2001.
	AK	
	AL	
	AM	
	AN	
	AO	
	AP	
	AO	
	AR	
	AS	

Examiner: /Misook Yli/	Date Considered: 02/19/2008
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*EXAMINER: Initial if reference considered, whether or not citation is in conformation with MPEP 609; draw line through citation if in conformance and not considered. Include copy of this form with next communication to applicant.